

Serial No.: 10/686,530

-6-

REMARKS

Claims 2 to 15, and 17 to 19 remain pending in the application. Claims 9 is presently amended to correct a typographical error. Claims 17-19 are amended as discussed below.

The Applicant submits that no new matter has been added by the present amendments.

With respect to the rejection to the claims 17 to 19 under 35 U.S.C. § 112, reconsideration by the Examiner is respectfully requested on the following grounds.

The Applicant hereby submits an amended independent claim 17 where "at least one of a) a daubed area occupying a position and b)" has been deleted. This amendment is believed to be responsive to the Examiner's 112 rejection. Amended claims 18 and 19 are also believed to be responsive to the Examiner's 112 rejection.

The Office Action further comprises a rejection of claims 2, 4-15 and 17-19 under 35 U.S.C. 102(b) as being anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Simunek (US patent 5,401,024).

It is submitted that "daubed areas forming a pattern" of claim 17 defines a different mode of designating a winning player than what is described by Simunek in US patent 5,401,024. Clearly, independent claim 17 and the claims depending from it are therefore novel in view of Simunek. Reconsideration of the rejection under 35 U.S.C. 102(b) is therefore respectfully requested.

Now having regard to the rejection under 35 U.S.C. 103(a) over Simunek, it is submitted that, in claim 17, at least the limitation "bearing all designations" makes it different from a bingo game while at least the limitation "daubed areas forming a pattern" makes it different from a keno game. It is also noted that the present invention is different from a bingo game in that, contrary to a bingo game, there is no requirement for a designation to be limited to a given column. These elements were not discussed in the last Office Action and therefore reconsideration of the rejection of claims 2, 4-15 and 17-19 under 35 U.S.C. 103(a) is respectfully requested.

The Office Action further comprises a rejection of claim 3 under 35 U.S.C. 103(a) as being unpatentable in view of Simunek (US patent 5,401,024) in view of Ratzkoff (US patent 4,046,382).

The limitation of claim 3 states "wherein one of said designations is duplicated on said card". The Office Action states that it is known in the art of bingo type games to have duplicate

Serial No.: 10/686,530

-7-

indicia on a card. The Applicant submits that the present invention does not concern a bingo type game, since as stated earlier the designation positions are not limited to given columns. Therefore, while the Office Action does not show any motivation or suggestion to do so, if a person skilled in the art were to combine Ratzkoff with Simunek, he would not obtain the claimed invention. Furthermore, it is noted that in Simunek, the designations that are duplicated, for example the "T", are not all daubed when they are selected. This is also a further difference between the prior art and the present invention. In view of these arguments, reconsideration of the rejection of claim 3 under 35 U.S.C. 103(a) is respectfully requested.

Claims 2 to 15, and 17 to 19 as presented above are believed to overcome the Examiner's rejections. It is submitted, therefore, that the pending claims are in condition for allowance. Reconsideration of the Examiner's rejections is respectfully requested. Allowance of claims 2 to 15, and 17 to 19 at an early date is solicited.

In the event that there are any questions concerning this amendment or the application in general, the Examiner is respectfully urged to telephone the undersigned so that prosecution of this application may be expedited.

Respectfully submitted,

By:

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Encls: - Page 3 of the Interview Summary for telephonic interview of December 1, 2005.

Serial No.: 10/686,530

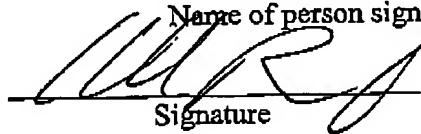
-8-

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Application No. 10/686,530

Continuation Sheet (PTOL-413)

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant presented that his game card bears "all designations" (as in the game of keno) and that the winner is designated by a daubed pattern. Further cl. 3 called for "duplicate" designations which applicant did not agree was shown by the prior art. Examiner commented that the basis of the game of keno shows cards where all designation are printed and that declaring winners based on the pattern appears to be fairly taught by the art of record ((5909875 was mentioned as an example). the features of claim 3 will be reconsidered upon a formal response to the grounds for rejection. .